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In re Application of : DECISION ON REQUEST
YU, Jinzhang :
Application No.: 10/549,159 : FOR WITHDRAWAL
Attorney's Docket No.: 2373.002US1 :
For: GENE THERAPY : AS ATTORNEY

This is in response to "REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS" filed 02 February 2007. Janal Kalis has requested that he and the attorneys/agents associated with Customer Number 21186 be withdrawn as attorneys or agents of record. No fee is required.

The criteria for effecting a proper withdrawal of attorney are spelled out in Section 402.06 of the Manual of Patent Examining Procedure (MPEP) which reads, in part, as follows:

The Commissioner of Patents and Trademarks usually requires that there be at least 30 days between approval of withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to obtain other representation or take other action. If a period has been set for reply and the period may be extended without a showing of cause pursuant to 37 CFR 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed.

Since all of the criteria delineated in Section 402.06 of the M.P.E.P. have been complied with and since there are no outstanding responses due, the request to withdraw as attorney of record is **GRANTED**.

All future communications will be forwarded to Leffert, Jay, & Polglaze, P.A., at the address indicated in "REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS" filed 02 February 2007.

In view of the above discussion, counsel's Request for Withdrawal is **GRANTED**.

A copy of this decision and the withdrawal request will be forwarded to Janal Kalis.



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